

# The Gazette of India



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Separate paging is given to this Part in order that it may be filed as a separate compilation

## PART III—SECTION 3

### Notifications relating to Minor Administrations

#### GOVERNMENT OF KUTCH

##### NOTIFICATION

Bhuj, the 28th October 1954

No. S-122/53—Reference this Government notification No. S-122/53 dated 29th June 1954.

2. With the approval of the Union Public Service Commission and in exercise of the powers delegated to him under schedule attached to Govt. of India, Ministry of States Notification No. 36-S dated the 10th March 1953, the Chief Commissioner for Kutch is pleased to continue, on the existing terms, Shri R. C. Katkoria as Assistant Engineer, Irrigation Division, Kutch Public Works Department with effect from 27th June 1954 for a further period upto 31st December 1954 or till the nominee of the Union Public Service Commission becomes available for appointment to the post whichever is earlier.

By order  
S. B. PATIL

Secretary to the Chief Commissioner for Kutch

#### GOVERNMENT OF AJMER Revenue Department

##### NOTIFICATION

Ajmer, the 30th October 1954

No. C/17/67/52-Rev—The land below described being no longer required for the purposes of a State Forest is

hereby under the orders of the Chief Commissioner, Ajmer, relinquished and the present declaration is made and published under Section 10 of the Ajmer Forest Regulation 1874 (VI of 1874).

Tract	Village	Area to be relinquished in acres	Remarks
Jalia Tract (Tehsildar Bir).	Jalia Tehsil Beawar.	5	Land to be relinquished forms part of 100 acres of village Jalia (Notified vide Chief Commissioner's No. 47/29/51 dated 23rd August 1951).

It is demarcated by 4 Kacha Pillars, chainage being 19 chains.

East.—Line between pillar Nos. 1 to 2 of Tehsildar Bir.

South.—Line between pillar Nos. 2 to 3 of Tehsildar Bir.

West.—Line starts from pillar No. LA, situated near pillar No. 1 of Tehsildar Bir and goes towards south through Tehsildar Bir for a distance of about 19 chains upto pillar No. 1D, situated between pillar No. 2 and 3 of Tehsildar Bir.

By order  
A. SEN  
Chief Secretary

#### COMPETENT OFFICER AND

WHEREAS information has been laid before me that the properties described in the Schedule hereto annexed are composite properties.

AND WHEREAS the evacuee interest in the said properties is to be separated from other interest, I now hereby call upon all persons having an interest in the said pro-

#### SENIOR SUB-JUDGE, AJMER

parties to submit their claims in the prescribed form to me within sixty days from the date of this notice. In case no such claim is filed the whole property shall vest in the Custodian free from all incumbrances and liabilities.

GIVEN under my hand and the seal of my office this 20th day of October 1954.

C. JACOB  
Competent Officer and Senior Sub Judge  
Ajmer

S. No.	District where the property is situated	Town or village	Municipal No.	Name of evacuee	Persons having claim as defined in Section 2(b)	Nature of claim
Misc. Appn. No. 25/54.	Ajmer	..	AMC. V/72 ..	1. Abdul Gafoor Khan s/o Azim Khan. 2. Mst. Khushnuda Begam w/o Abdul Gafoor Khan. 3. Mst. Shah Zadi, alias Chhajo w/o Nazir Bux. 4. Abdul Rahim alias Chhote Khan s/o Ahmed Bux. 5. Mst. Sardan w/o Mohd. Hussain as legal representative of Kulsam Begam, Ajmer (Mortgagor).	1. Shri Govind Ram s/o Lachhmi Mortgage. Narain Agarwal of Ghaseti Mohalla, Ajmer.	
Misc. Appn. No. 26/54.	..	..	AMC. VII/24 .. AMC. VII/25	1. Abdul Razak s/o Abdul Rahim, of mohalla Safed Bafan, Ajmer-Merwara Ajmer.	1. The Urban Co-operative Bank, Ajmer-Merwara Ltd., Ajmer.	Do.

**OFFICE OF THE RETURNING OFFICER FOR THE  
GAGWANA CONSTITUENCY OF THE AJMER STATE  
LEGISLATIVE ASSEMBLY**

[Notice under rule 113 of the Representation of the People (conduct of Election and Election Petitions) Rules, 1951]

**NOTICE**

Notice is hereby given under rule 113 of the Representation of the People (Conduct of Election and Election Petitions) Rules, 1951 that the return of election expenses of Shri Fateh Singh House No. 336, Ward No. 8 of Beawar, a member duly elected to the Ajmer State Legislative Assembly from the Gagwana Constituency and the declarations in respect thereof have been lodged with the Returning Officer on the 18th October 1954. These can be inspected at the office of the undersigned between 11-0 A.M. (hours) and 3-0 P.M. (hours) on any working day for a fortnight from the publication of this notice in the Gazette on payment of fee of one rupee.

Place: Ajmer

Dated the 18th October 1954

D. D. UPADHYA  
Returning Officer  
Gagwana Constituency, Ajmer

**IN THE COURT OF THE INSOLVENCY JUDGE,  
STATE OF AJMER AT AJMER**  
**Insolvency Case No. 17 of 1954**

Shri Nathoolal son of Shri Kundanmal, Oswal, Sadar Bazar, Bijainagar.—Applicant.

*Versus*

M/s Sualal Kanhaiyalal Shergarh and others.—*Creditors*.  
Whereas applicant has made an application under the Provincial Insolvency Act to this Court on the 11th day of October 1954 to declare an insolvent. All the creditors are hereby informed that the above noted case has been fixed for hearing and disposal on the 26th day of November 1954 at 10.30 A.M. If any one desire to be represented in the matter he should attend this Court in person or duly instructed pleader. In default of your appearance, the application will be heard *ex parte*.

Given under my hand and seal of the Court this 20th day of October 1954.

By order, etc.  
RISHI KESH  
Clerk of Court  
to the Insolvency Judge  
Ajmer

**Schedule A**

Names and particulars of creditors	Amount of debit.
	Rs. A. P.
1. M/s Sualal Kanhaiyalal Shergarh (Masuda) 2 decrees ..	14,130 0 0
2. Thakur Onkar Singh, Babsuri (Khata) ..	1,200 0 0
3. M/s Bhuralal Tarachand, Bijainagar (Hundi) ..	1,000 0 0
4. M/s Bhuralal Motilal, Bijainagar (Bond & Khata) ..	5,000 0 0
5. M/s Ganeshlal Ratanlal, Bijainagar (Khata) ..	5,500 0 0
6. M/s Ramanand Kumawat, Bijainagar (Oral) ..	200 0 0
7. M/s Udal Ram Srilal, Beawar (Khata) ..	700 0 0
8. M/s Pabudan Hiralal, Beawar (Decree) ..	250 0 0
9. M/s Jawaharlal Ganesh Narain, Dhanmandi, Ajmer (Oral) ..	1,700 0 0
10. M/s Bholamath Shankernath, Fatehgarh, District Farrukhabad, U.P. (Chithi) ..	250 0 0
11. Messrs. Kanhaiyalal Bamb, Village Bhaonta, near Beawar (Khata) ..	400 0 0
12. M/s Bhuralal Manglal, Satana, Distt. Ajmer (Two Khatas) ..	3,000 0 0
13. M/s Kajorimal Ratanlal, Gulabpura (Mewar) (Khata) ..	250 0 0
14. M/s Shri Kishen Ram Pal, Gulabpura (Mewar) (Oral) ..	150 0 0
15. M/s Sujanmal Govindsingh, Gulabpura (Mewar) (Oral)	500 0 0
Total amount ..	34,330 0 0

*Petitioner*

Ajmer, dated 8th October 1954

**Schedule B**

Name and particulars of property	Value
	Rs. A. P.
Nil.	Nil.
Total amount Rs.	Nil.

Ajmer, dated 8th October 1954.

**OFFICE OF THE DEPUTY COMMISSIONER AND  
COLLECTOR, AJMER**

**NOTIFICATION**

Ajmer, the 21st October 1954

No. Mines/VII-4438/X(F)143—As required by Rule 67 of the Mineral Concession Rules 1949 the following areas which were previously held under a prospecting licence or a mining lease are notified as available for regrant after 30 days from the date of publication in the Gazette of India.

Tehsil	Village	Plots Nos.	Area		
			B	B	B
Beawar	Kalinjar	896	3	7	10
Do.	Baghmal	Forest Coupe No. XXVI.	2	10	0
Ajmer	Kadampura	24/2	8	2	0
Beawar	Dadola	320/2	6	0	0
Do.	Jawaja	16/2	5	1	0

A. K. MUSTAFY  
Deputy Commissioner and Collector  
Ajmer

**IN THE HIGH COURT OF JUDICATURE FOR THE  
STATE PUNJAB AT SIMLA**

(Order 41, Rule 14 of Act No. V of 1908 and Chapter XVIII, Rules 1 and 2.)

**Appellate Civil Jurisdiction**

F.A.O. 86/P of 1954.

Shree Shanbhu Dayal—Appellant.

*versus*

Union of India—Respondent.

(Appeal from the Order of the Court of S. J. 1st Class Delhi dated the 15th day of April 1954.)

To

Union of India, through Manager, Publications, Civil Lines, Delhi.

Take notice that an appeal from the Order dated 15th April 1954 in this case has been presented by Appellant and registered in this Court, that the 8th day of November 1954 has been fixed by this Court for the hearing of this appeal and that the case will be laid before the Court on such date or as soon thereafter as the same may be heard.

2. If you do not engage Counsel, notice of any alteration in the date fixed for the hearing of this appeal will be given to you by registered post. You should inform Deputy Registrar of this Court, within one month of the receipt of this notice of appeal, of your address for service during this appeal. If you fail to furnish such address, your address as contained in this notice of appeal which is the address given in the Memo. of appeal, will be deemed to be your correct address, and all further notices posted to the latter address by registered post will be deemed to be sufficient for the purposes of the appeal.

3. If no appearance is made on your behalf by yourself, your Counsel or by some one by law authorized to act for you in this appeal, it will be heard and decided *ex parte* in your absence.

Given under the seal of the Court this 13th day of October 1954.

Supdt., Civil Judicial

**IN THE HIGH COURT OF JUDICATURE FOR THE  
STATE OF PUNJAB (CIRCUIT BENCH) AT DELHI**  
**Judicial Department**

(F.A.O. 86/P—1954)

**Original Suit**

Court—Sub-Judge 1st Class, Delhi.

Instituted—28th November 1953.

Decided—15th April 1954.

**First Appeal**

Court—

Instituted—

Decided—

Date of filing petition in High Court—29th July 1954.

Value for purposes of jurisdiction—Rs. 8060/15/-.

Value for purposes of Court-fee—Fixed.

Amount of Court-fee on petition—Rs. 4.

Presented by Shri Radhey Shyam Tandon Advocate.

Petitioner (defendant)—Shri Shambhu Dayal.

Respondent (plaintiff Claimant)—The Union of India.

Order of First Court and date—Pronounced judgment in terms of the award dated 27th August 1951, dismissed objections of the petitioner with costs on 15th April 1954.

Original claim—Claim under section 17 of Arbitration Act.

Claim in Revision—For setting aside the judgment of the Court below with costs throughout.

Petition under section 115 C.P.C. of Act X of.....

*Grounds for Revision*

1. That the learned Sub-Judge is absolutely wrong in holding that there was a valid agreement of arbitration between the parties. The so called agreement Ex. P. 6 was illegal and as such the petitioner was not bound by it.

2. That the Arbitrator named in the agreement was a party to the contract and his appointed nominee without written approval of the petitioner made the arbitration proceedings illegal and null and void.

3. The Lower Court is wrong in holding that the award was given by the Arbitrator within the statutory period of 4 months, according to Schedule I (3) of the Arbitration Act 1940.

4. That the nomination of the Arbitrator by the respondent took place on 15th May 1950 *vide* Ex. P. 6. The Arbitrator fixed 15th November 1950 as the first date of

hearing and the award was given on 27th August 1951 after the expiry of one year, three months and 12 days from the date the Arbitrator was called upon by the respondent to act or the date of entering upon reference i.e. 15th November 1950.

5. That the Arbitrator neither applied for extension of time for filling of the award under Section 28 of the Arbitration Act of 1940 nor had the consent of the petitioner for enhancement of time and the entire arbitration proceedings are therefore illegal and not maintainable.

6. That the learned Sub Judge is wrong in holding that the application under Section 17 of the Arbitration Act is within time. Article 178 of the Indian Limitation Act of 1908 allows 90 days' period for submitting the application to the Court for making the award a rule of the Court. The Award was filed on 26th June 1953 by the Arbitrator and the application was moved by the respondent on 14th November 1953 for passing decree in terms of the Award.

7. That the judgment of the trial court is against Law and facts. The so called Arbitrator was himself a party to the contract and was therefore prejudiced from the start of proceedings and the award that was given by him was hardly impartial, just or reasonable.

It is, therefore, prayed that the judgment of the Lower Court be set aside and the Revision petition be accepted and the petitioner be awarded costs throughout.

DELHI

*The 29th July 1954.*

R. S. TANDON  
Advocate for the Petitioner

